

# IPO/IP Inclusive Event

- **Bio of Daniel Alexander QC**
- Daniel Alexander QC is a highly-regarded advocate, focusing on IP disputes of international significance in a wide range of technologies and industries.
- He has been lead counsel in a number of defining cases in electronics, pharmaceuticals, biophysics and biotechnology, as well as some of the leading trade mark and media disputes. Daniel has a broad practice, focussing on intellectual property but extending to contractual cases, IT, media/entertainment law and a range of international disputes. He is rated in the top band of QCs in IP in legal directories. He also sits part-time as a judge and arbitrator.
- He is based at 8 New Square.

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## Bio of Professor Ruth Annand

- Professor Ruth Annand
- Senior Associate Solicitor, Humphreys & Co, Bristol
- Intellectual property: trade marks, copyright, designs and patents
  
- Career
- Qualified as a solicitor in 1974 with Coward Chance (now Clifford Chance).
- For many years Director of the University of Bristol School of Law's prestigious Diploma in Intellectual Property Law and Practice, and now Emeritus Professor of Law in the University of Bristol.

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## Bio of Professor Ruth Annand Cont'd

- Career
- Appointed Person appointed by the Lord Chancellor under the Trade Marks Act 1994 to hear appeals from decisions of the Trade Marks Registrar, 2001 - 2021.
- Awarded CBE for services to Intellectual Property in 2017.
- First with Humphreys & Co. in 1987

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## Bio of Professor Ruth Annand Cont'd

- *Professional memberships*
- Law Society.
- Active in the International Trademark Association for many years, having served as a member of the Board of Directors, Chair of the Trademark Office Practices Committee and Vice-Chair of the International Amicus Committee. Received INTA President's Award, November 2010. Principal Editor of INTA's Practitioner's Guide to the Madrid Agreement and Madrid Protocol.
- *Education*
- University of Durham, BA in Law, First Class (Hons.)

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## Bio of Emma Himsworth QC

Emma Himsworth QC is a barrister and a member of chambers at One Essex Court, London. She was called to the Bar in 1993 and took silk in 2012. Emma specialises in all areas of intellectual property law and related aspects of commercial law. Her practice encompasses court and advisory work. Emma has a particular interest and expertise in matters involving trade marks and passing off. She has sat as an Appointed Person since 2013, hearing appeals from the UK Registrar of Trade Marks and also accepts appointments as Arbitrator. As part of a team from the Intellectual Property Bar Association Emma has worked extensively on policy issues and on requests for views in materials to be submitted by various professional bodies to the UK government and the UKIPO in relation to the impact of the UK's exit from the EU on IP law and practice and related matters with a focus on trade marks and designs. Emma is regularly asked to speak on matters of trade mark law and also on issues of diversity and inclusivity within the profession.

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- **Bio of Tom Mitcheson QC**
- Tom was called to the Bar in 1996 and took silk in 2014. He acted as Standing Counsel to the Comptroller General for Patents Designs and Trade Marks from 2009-2014 and became an Appointed Person in 2016. Tom has experience in all types of contentious intellectual property work including patents, trademarks, copyright, design right, registered designs, passing off and confidential information. He has been involved in a wide variety of interim applications and trials in the High Court, Court of Appeal and the Supreme Court. Recent Supreme Court cases include *Eli Lilly v Actavis*, *Warner Lambert v Generics* and *Actavis v Icos*. He also makes regular appearances in the UK Patent Office & Trade Marks Registry, at the European Patent Office (both Opposition Division and Board of Appeal level) and in the Court of Justice of the European Union. He has recently been called to the Irish Bar. He is based at Three New Square.

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## **Bio of Brian Whitehead**

Brian focuses on IP law issues in the technology sectors, particularly patent litigation and breach of confidence/trade secret actions (including in respect of ex-employees). He is also very active in the retail and design sectors, and has acted for a number of the firm's leading retail and fashion clients on cases involving trade marks, copyright and design rights in the High Court and Intellectual Property Enterprise Court.

- Prior to becoming a solicitor, he obtained a first degree in Chemistry and a PhD in Biochemistry. He worked as a research chemist in the Netherlands, in the field of structural biology, and as a scientific publisher in the biotechnology sector.
- Prior to joining Haseltine Lake Kempner, he gained experience with Pinsents and Addleshaw Goddard. Brian is active in speaking and writing on IP issues, and has published more than 30 articles on diverse topics within IP law and practice. Brian also sits as a Deputy District Judge (part time) and is authorised to hear cases in the Business and Property Court in Leeds.

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- **Bio of Brian Whitehead Cont'd**
- Key cases include:
  - Select Healthcare (UK) Ltd v Cromptons Healthcare – dispute involving “patient slide sheets” for facilitating the movement of patients in hospital, in which we acted for the successful defendant. The opponent’s patent was held at trial to be invalid and not infringed in any event. There were also reported interim hearings concerned with adequacy of the opponent’s statements of case and permission to rely on experimental evidence.
  - DKH Retail Ltd v Republic (Retail) Ltd – the leading decision on transfer of cases from the High Court to the Intellectual Property Enterprise Court.

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- **Bio of Brian Whitehead Cont'd**
- AP Racing v Alcon Components – dispute involving innovative brake calipers for motorsport applications, in which we acted for the successful patentee. The Court of Appeal decision is one of the leading authorities on the law of added matter in patents. At the inquiry as to damages, we recovered a record level of damages in the Intellectual Property Enterprise Court. In a second action in respect of further allegedly infringing products by the same defendant, we successfully resisted an application by the defendant to strike out the claim, and the appeal judgment confirmed that it is not an abuse to start a second action, even if the alleged infringements could have been discovered in time to include them in the first action.
- Prosyscor v Netsweeper – we acted for Netsweeper in defence of a claim by an ex-employee to ownership of a patent application incorporating an invention made by him out of office hours and on his own equipment. The IPEC judge rejected the claim, holding that all the inventive input of the ex-employee was made during his period of employment and in the normal course of his duties